

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**GREGORY K. ALLEN, JR. (# 164049)**

**PLAINTIFF**

**v.**

**No. 4:20CV106-JMV**

**M.S.P. WARDEN SIMON, ET AL.**

**DEFENDANTS**

**JUDGMENT**

In accordance with the memorandum opinion entered this day, defendant Richard Pennington will be dismissed with prejudice from this suit because the plaintiff's allegations against him fail to state a claim upon which relief could be granted. The plaintiff's claims for failure to protect him from attack by another inmate and for retaliation for seeking redress for that attack will, however, proceed.

**SO ORDERED**, this, the 14th day of December, 2020.

/s/ Jane M. Virden

UNITED STATES MAGISTRATE JUDGE